

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

UNITED STATES *ex rel.* SIOBHAN
FITZGERALD; and SIOBHAN FITZGERALD,
individually,

Plaintiffs,

v.

BANK OF AMERICA, and its subsidiaries,
Defendants.

No. 12-cv-1170-ADS-AKT

**VOLUNTARY DISMISSAL BY
STIPULATION PURSUANT TO
Fed. R. Civ. P. 41(a)(1)(A)(ii)**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and Relator Siobhan Fitzgerald and Defendant Bank of America that, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the above-captioned action is voluntarily dismissed in its entirety, with prejudice as to Plaintiff and Relator Siobhan Fitzgerald and without prejudice as to the United States. The United States consents to this dismissal pursuant to 31 U.S.C. § 3730(b)(1).

Dated: August 16, 2013

By: /s/ Brian H. Mahany

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No. 12-cv-1170-ADS-AKT

**VOLUNTARY DISMISSAL BY STIPULATION PURSUANT TO Fed. R. Civ. P.
41(a)(1)(A)(ii)**

IT IS SO ORDERED.

Dated: _____, 2013

Arthur D. Spatt
United States District Judge

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CERTIFICATE OF SERVICE

I hereby certify that, on August XX, 2013, I caused a true and correct copy of the foregoing Voluntary Dismissal By Stipulation Pursuant To Fed .R. Civ. P. 41(a)(1)(A)(ii) to be filed and served via the Court's ECF system upon all counsel registered for ECF in this case.

Dated: August 16, 2013

Respectfully submitted,

/s/ Brian H. Mahany

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